



GAIL FARBER, Director

**COUNTY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS**

*"To Enrich Lives Through Effective and Caring Service"*

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**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

32 April 7, 2015

  
PATRICK OGAWA  
ACTING EXECUTIVE OFFICER

April 07, 2015

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**ORDINANCE AMENDING TITLE 2 - ADMINISTRATION OF THE COUNTY CODE  
TO DELEGATE AUTHORITY TO THE DIRECTOR OF PUBLIC WORKS  
TO LEASE OR LICENSE REAL PROPERTY FOR USE BY  
THE COUNTY SUBJECT TO CERTAIN CONDITIONS AND  
RESOLUTION OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT  
TO DELEGATE AUTHORITY TO THE CHIEF ENGINEER  
TO EXECUTE AGREEMENTS FOR THE USE OF REAL PROPERTY BY  
THE DISTRICT SUBJECT TO CERTAIN CONDITIONS  
(ALL SUPERVISORIAL DISTRICTS)  
(3 VOTES)**

**SUBJECT**

This action is to approve an Ordinance amending Section 2.18.015, Subsection T, of the Los Angeles County Code to delegate authority to the Director of Public Works or her designee to lease or license real property for use by the County of Los Angeles and to amend leases and licenses for the use of real property by the County, subject to certain limitations.

This action is also to adopt a resolution, on behalf of the Los Angeles County Flood Control District, delegating authority to the Director of Public Works, acting as the Chief Engineer of the Los Angeles County Flood Control District, or her designee to execute agreements for the use of real property by the Los Angeles County Flood Control District subject to certain limitations.

**IT IS RECOMMENDED THAT THE BOARD:**

Approve for introduction an ordinance amending Section 2.18.015, Subsection T, of the Los Angeles County Code to delegate authority to the Director of Public Works or her designee to obtain use of real property for the County of Los Angeles by license, as well as lease, where the term does not to

exceed five years and the monthly rent does not exceed \$7,500, and to amend real property licenses, as well as leases, for improvements or alterations, or both, where the total cost does not exceed \$7,500, provided that the amendment does not extend the term of the license or lease and that no more than two amendments, not to exceed \$7,500 each, are made within a 12-month period.

**IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

Adopt a resolution to delegate authority to the Director of Public Works, acting as the Chief Engineer of the Los Angeles County Flood Control District, or her designee to execute agreements for the use of real property by the Los Angeles County Flood Control District when the maximum amount to be paid by the Los Angeles County Flood Control District pursuant to the agreement does not exceed \$75,000; and the term of the agreement is month to month not exceeding a maximum duration of fifty years or a nonrenewable fixed term not exceeding fifty years.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended actions is to amend Section 2.08.015, Subsection T, of the Los Angeles County Code to delegate authority to the Director of Public Works or her designee to obtain use of real property for the County of Los Angeles by license, as well as by lease, where the term does not to exceed five years and the monthly rent does not exceed \$7,500, and to amend real property licenses as well as leases for improvements or alterations, or both, where the total cost does not exceed \$7,500, provided that the amendment does not extend the term of the license or lease and that no more than two amendments, not to exceed \$7,500 each, are made within a 12-month period.

The purpose of the recommended actions is also to adopt a resolution delegating authority to the Director of Public Works, acting as the Chief Engineer of the Los Angeles County Flood Control District (LACFCD), or her designee to execute agreements for the use of real property by the LACFCD when the maximum amount to be paid by the LACFCD pursuant to the agreement does not exceed \$75,000, and the term of the agreement is month to month not exceeding a maximum duration of fifty years or a nonrenewable fixed term not exceeding fifty years.

This action makes technical corrections to the Los Angeles County Code to better conform to the provisions of Government Code Section 25350.51 for items that historically have been processed by Public Works under the delegated authority already contained in Section 2.08.015 of the Los Angeles County Code. Additionally, this action will reduce the number of instances in which the Board will have to act regarding transactions involving the use of property by the LACFCD.

**Implementation of Strategic Plan Goals**

The Countywide Strategic Plan Goal directs the provision of Operational Effectiveness/Fiscal Sustainability (Goal 1). This action will enable Public Works to improve its effectiveness and enhance customer service when entering into certain agreements.

**FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

There will be some administrative cost savings attributable to the streamlined approval process.

## **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The delegation of authority is authorized by California Government Code Section 25350.51, which provides, in pertinent part, as follows:

The Board may, by ordinance or resolution, delegate to the purchasing agent or other appropriate county official, subject to any rules and regulations as it may impose, the following authority:

- (1) To lease real property for use by the county or to obtain the use of real property for the county by license for a term not to exceed five years and for a rental not to exceed Seven Thousand Five Hundred Dollars (\$7,500) per month.
- (2) To amend real property leases or licenses for improvements or alterations, or both, with a total cost not to exceed Seven Thousand Five Hundred Dollars (\$7,500), provided that the amendment does not extend the term of the lease or license and that no more than two amendments, not to exceed Seven Thousand Five Hundred Dollars (\$7,500) each, are made within a 12-month period.

Additionally, the Los Angeles County Flood Control Act, Sections 3 and 16, authorizes the Board to adopt reasonable rules and regulations to facilitate the exercise of its powers and duties under the Act and to provide for the administration and government of the LACFCD.

Public Works has an ongoing need to acquire rights to use real property for Public Works projects involving the County and the LACFCD.

The enclosed Ordinance (Enclosure A) and Resolution (Enclosure B) documents have been approved by County Counsel as to form.

## **ENVIRONMENTAL DOCUMENTATION**

Adoption of the Ordinance and Resolution documents is not a project pursuant to the California Environmental Quality Act (CEQA) because it is an activity that is excluded from the definition of a project by Section 15378 (b) of the State CEQA Guidelines. The recommended actions are administrative activities of government that will not result in direct or indirect physical changes to the environment.

## **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Execution of licenses, leases, and amended licenses for use of real property will be expedited, minimizing delays in customers' projects.

**CONCLUSION**

Please return one adopted copy of this letter and one executed copy of the Resolution document to the Department of Public Works, Survey/Mapping & Property Management Division. Retain the duplicate for your files.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:SGS:tw

Enclosures

c: Auditor-Controller (Accounting Division - Asset  
Management)  
Chief Executive Office (Rochelle Goff)  
County Counsel  
Executive Office

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT DELEGATING AUTHORITY TO THE CHIEF ENGINEER TO EXECUTE AGREEMENTS FOR THE USE OF REAL PROPERTY BY THE DISTRICT**

WHEREAS, Section 2, subsection 5, of the Los Angeles County Flood Control Act authorizes the Los Angeles County Flood Control District to acquire or contract to acquire lands, rights of way, easements, privileges and property of every kind, necessary or proper to carry out any of the objects or purposes of the Act; and

WHEREAS, Sections 3 and 16 of the Los Angeles County Flood Control Act authorize the Board of Supervisors of the Los Angeles County Flood Control District to adopt reasonable rules and regulations to facilitate the exercise of its powers and duties and to make rules and regulations for the administration and government of said district, and to perform all other acts necessary or proper to accomplish the purposes of the Act; and

WHEREAS, the delegation of authority to the Chief Engineer of the District to enter into agreements for the use of real property by the District, under the limited circumstances described below, would enable many such transactions to be completed more quickly and with less administrative costs to the District.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, HEREBY RESOLVES AS FOLLOWS:

The Director of Public Works of the County of Los Angeles, acting as the Chief Engineer of the Los Angeles County Flood Control District, or the Director's designee, is authorized to negotiate and execute agreements for the use of real property by the District subject to the following conditions:

- (1) The maximum amount to be paid by the District pursuant to the agreement does not exceed seventy-five thousand dollars (\$75,000.00); and
- (2) The term of the agreement is month to month not exceeding a maximum duration of fifty (50) years, or a nonrenewable fixed term not exceeding fifty (50) years.

The foregoing resolution was on the 7<sup>th</sup> day of April, 2015, adopted by the Board of Supervisors of the County of Los Angeles acting as the governing body of the Los Angeles County Flood Control District.



PATRICK OGAWA  
Acting Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By   
Deputy

APPROVED AS TO FORM:

MARK J. SALADINO  
County Counsel

BY   
Deputy